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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,567	01/18/2002	Yoshiharu Hashimoto	15227	3382

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SCULLY SCOTT MURPHY & PRESSER, PC  
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SUITE 300  
GARDEN CITY, NY 11530

EXAMINER
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KUMAR, SRILAKSHMI K

ART UNIT	PAPER NUMBER
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2629

MAIL DATE	DELIVERY MODE
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02/19/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action  
Before the Filing of an Appeal Brief**

**Application No.**

10/051,567

**Applicant(s)**

HASHIMOTO, YOSHIHARU

**Examiner**

Srilakshmi K. Kumar

**Art Unit**

2629

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

THE REPLY FILED 18 January 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1.  The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
  - a)  The period for reply expires 3 months from the mailing date of the final rejection.
  - b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2.  The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3.  The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
  - (a)  They raise new issues that would require further consideration and/or search (see NOTE below);
  - (b)  They raise the issue of new matter (see NOTE below);
  - (c)  They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d)  They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4.  The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5.  Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
6.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7.  For purposes of appeal, the proposed amendment(s): a)  will not be entered, or b)  will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10.  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11.  The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.
12.  Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.
13.  Other: \_\_\_\_\_.



ALEXANDER EISEN  
SUPERVISORY PATENT EXAMINER

### **Continuation Sheet**

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Applicant argues where the prior art of Chen et al does not teach two modes of operation. While the Examiner agrees with this assertion, Examiner must point out in the rejection, the prior art of Chee et al teaches power saving and normal modes. The prior art of Chen et al teaches using most significant bits for a low power data driver.

Further, applicant argues where it is highly relevant that Chen does not teach two modes. Examiner, respectfully, disagrees. The prior art of Chen et al is added to teach the feature of using most significant bits. Chen et al teach a display data driver in order for power saving , and uses voltages corresponding to the most significant bit. The prior art of Chen et al is not disclosed in order to teach two modes. Applicant is arguing the references separately as opposed to the combination.

Applicant argues that Chen does not teach using most significant bits to save power. Examiner, respectfully disagrees. Chen et al teach a display data driver where in power saving, the voltages corresponding to the most significant bits are applied as data signals in col. 6, lines 3-23.

Applicant argues where the prior art of Chee et al fail to teach that in the power saving mode, voltages corresponding to most significant bit signals of said image display data are applied as display data signals to the data electrode. Examiner, agrees. As shown by the above

rejection, Chee et al fail to teach voltages corresponding to most significant bit signals. In order to remedy this deficiency of Chee et al, the prior art of Chen et al is added to teach the limitation of voltages corresponding to most significant bit signals. This is shown in the rejection above, and further responded to in the above paragraphs.

Applicant argues where the prior art fails to teach an essential information display mode. Examiner, respectfully, disagrees. The prior art of Chee et al teach wherein said power saving mode includes an essential information display mode (col. 5, lines 37-65, four different display modes), where a predetermined uniform voltage level, which corresponds to a predetermined color (col. 5, lines 37-65) and which is independent from said image display data, is uniformly applied to all data electrodes on other region that at least a designated region for displaying the essential information (col. 7, lines 9-44), this is shown by the dimmed level for the displayed images.

Applicant argues where the examiner misunderstands normally white and normally black type are referred to the state of the display when no voltage is applied. While Chee et al and Chen et al do not explicitly state this feature, it would have been obvious to one of ordinary skill in the art to include this feature of a normally white or normally black. Further, as claimed, the limitation is broadly interpreted to refer to on and off states of the display.

With respect to applicant's arguments where the prior art of Chen does not teach inactivating the polarity selecting circuit, examiner agrees, as the prior art of Chee et al teaches this feature. Specifically, Chee et al disclose wherein said power saving mode further inactivates a gray scale voltage generating circuit (col. 7, lines 45-57), a polarity selecting circuit, and an output circuit included in a driver circuit for driving said color display (col. 8, lines 25-48).

Therefore, the combination of Chee et al and Chen et al teach the claimed limitations, thus, the rejection is maintained.